

# House File 2013 - Introduced

HOUSE FILE 2013

BY JONES

## A BILL FOR

1 An Act relating to the assessment of fees when a public  
2 defender or designee requests copies of certain documents.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 815.16 Fees for requests for copies  
2 of documents.

3      1. As used in this section:

4     a. "Agency" means the judicial branch, a state department or  
5 agency, the office of a county attorney, a criminal or juvenile  
6 justice agency, or a political subdivision of the state.

7     *b. "Document"* includes but is not limited to a copy of the  
8 following:

9 (1) Police reports.

10        (2)    Photographs.

11 (3) Grand jury transcripts.

12 (4) Audiotapes.

13 (5) Videotapes.

14 (6) Transcripts of audiotapes or videotapes.

15       (7) Audio or video files on storage systems, including

16 but not limited to disk, tape, optical, and other structured  
17 repositories for storing digital information.

18 (8) Transcripts of audio or video files on storage systems.

19 (9) Reports prepared by the department of human services.

2. An agency shall furnish copies of any document in the possession of the agency, at no cost, upon request of the state public defender, a public defender office, or an attorney or nonprofit legal organization appointed by the court as a designee of the state public defender, if the document is relevant to an investigation or legal representation being conducted by the state public defender, a public defender office, or an attorney or nonprofit legal organization appointed by the court as a designee of the state public defender. When a document is provided on a storage system, the agency shall, upon request, include the software necessary to access the storage system.

32 EXPLANATION

33           The inclusion of this explanation does not constitute agreement with  
34           the explanation's substance by the members of the general assembly.

35 This bill relates to the assessment of fees when a public

1 defender or designee requests copies of certain documents.

2     The bill defines "agency" to mean the judicial branch, a  
3 state department or agency, the office of a county attorney, a  
4 criminal or juvenile justice agency, or a political subdivision  
5 of the state.

6     The bill requires that an agency furnish copies of any  
7 document in the possession of the agency, at no cost, upon  
8 request of the state public defender, a public defender office,  
9 or an attorney or nonprofit legal organization appointed by the  
10 court as a designee of the state public defender.

11    The documents to be provided under the bill include but  
12 are not limited to copies of police reports, photographs,  
13 grand jury transcripts, audiotapes, videotapes, transcripts  
14 of audiotapes or videotapes, audio or video files on storage  
15 systems, transcripts of such audio or video files on storage  
16 systems, and reports prepared by the department of human  
17 services.

18    The document requested must be relevant to an investigation  
19 or legal representation being conducted by the public defender  
20 or designee.

21    Under the bill, when a document is provided on a storage  
22 system, the agency shall, upon request, include the software  
23 necessary to access the storage system.